

Order

Michigan Supreme Court
Lansing, Michigan

March 31, 2015

Robert P. Young, Jr.,
Chief Justice

150382

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

KENYA ALISHA FROST, GENERAL MOTORS
ACCEPTANCE CORPORATION (GMAC), and
ALLY FINANCIAL, INC.,
Plaintiffs,

and

CITIZENS INSURANCE COMPANY OF
AMERICA,
Intervening Plaintiff-Appellant,

v

SC: 150382
COA: 316157
Wayne CC: 11-002947-NF

PROGRESSIVE MICHIGAN INSURANCE
COMPANY, a/k/a PROGRESSIVE
MARATHON INSURANCE COMPANY,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the September 23, 2014 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals, and we REMAND this case to the Court of Appeals for reconsideration of the intervening plaintiff's issue of whether the insurance policy issued by the defendant can be voided *ab initio*. On remand, the Court of Appeals shall hold this case in abeyance pending its decision in *Bazzi v Sentinel Ins Co* (Court of Appeals Docket No. 320518). After *Bazzi* is decided, the Court of Appeals shall reconsider the intervening plaintiff's issue in light of *Bazzi*.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 31, 2015


Clerk